

14 June 2024

Jason Ellison

By email: fyi-request-26604-deed1559@requests.fyi.org.nz

Dear Mr Ellison

Request for information

We refer to your Official Information Act 1982 (“**OIA**”) email request to the Office of the Hon David Seymour dated 2 May 2024.

On 16 May 2024, the Office of the Hon David Seymour partially transferred to Southern Response the following three questions from your request under section 14(b)(ii) of the OIA on the basis that his office believed that the information is more closely connected with the functions of Southern Response (“**Request**”):

- 1. Please provide me with all documents and information related to the list of 3 circumstances being a fixed list that did not expand over time [Request One].*
- 2. Please provide all documents and information related to David Clark’s communications with Southern Response regarding their crimes, to which he initially said did not exist, then said he lied about it not existing because the information contained within the communications would impede his ability to have frank conversations with Southern Response about the crimes they are committing. [Request Two]*
- 3. Please provide all documents and information related to Grant Robertson’s communications with Southern Response regarding their crimes. [Request Three]*

Response to your Request

Response to Request One

We understand that Request One is a reference to the three circumstances where Southern Response has contributed to policyholder legal fees in the past, as contained in the Hon David Seymour’s OIA response letter to you dated 1 May 2024 (**enclosed**). Please note that we obtained a copy of the enclosed letter from the link in your OIA email request to the Hon David Seymour dated 2 May 2024 (also **enclosed**), which was provided to Southern Response when his Office partially transferred the request on 16 May 2024 as outlined above.

The three circumstances of when Southern Response has previously agreed to make discretionary contributions towards policyholder legal fees is not a fixed list. Southern Response therefore does not hold any documents or information relating to the list not expanding over time. We accordingly refuse your Request One under:

- section 18(e) of the OIA on the basis that the documents alleged to contain the information do not exist, and



- section 18(g)(i) of the OIA on the basis that the information is not held by Southern Response and we have no grounds for believing that it is held by any other organisation.

Response to Requests Two and Request Three

Southern Response denies that it has committed any crimes in the course of carrying out its functions. We note that you have not provided any evidence to support your allegations.

Accordingly, no information or communications exist between Southern Response and the then Hon Grant Robertson and the then Hon Dr David Clark about crimes committed by Southern Response. Request Two and Request Three are therefore refused under:

- section 18(e) of the OIA on the basis that the documents alleged to contain the information do not exist,
- section 18(g)(i) of the OIA on the basis that the information is not held by Southern Response and we have no grounds for believing that it is held by any other organisation.

Your rights

You have the right to contact the Ombudsman about this response. To do so, you can visit their website - <http://www.ombudsman.parliament.nz/>

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Casey Hurren', with a long, sweeping underline.

Casey Hurren
Chief Executive

